

REMARKS/ARGUMENTS

Status of the Claims

Claims 1-24 are currently pending in the application. Claims 1, 9, 13, and 24 have been amended. No new matter has been added by the amendments. No claims have been added. No claims have been cancelled. Therefore, claims 1-24 are present for examination. Claims 1, 13, and 24 are independent claims. Applicant respectfully requests reconsideration of this application as amended.

Prior to entry of this amendment, the application included claims 1-24. A non-final office action mailed August 18, 2008, objected to the Abstract and Specification. Claims 1-24 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-24 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Publ. No. 2002/0152168 to Neofytides ("Neofytides").

Objections to the Abstract

The abstract has been objected to because it includes language which may be implied. The abstract has been amended and the objection is now moot.

Objections to the Specification

The Examiner has requested that Applicant makes corrections to any errors in the specification. The specification has been amended and the objections are now moot.

Objections to the Disclosure

The disclosure has been objected to because it contains an embedded hyperlink and/or other form of browser-executable code. The specification includes hyperlinks that are not meant to direct a web browser to any URL or allow reception of content. Rather, these URLs and web content descriptions are to comply with 35 U.S.C. § 112. Per the M.P.E.P., this is proper.

Where the hyperlinks and/or other forms of browser-executable codes themselves rather than the contents of the site to which the hyperlinks are directed are part of applicant's invention and it is necessary to have them included in the patent application in order to comply with the requirements of 35 U.S.C. § 112, first paragraph, and applicant does not intend to have these hyperlinks be active links, examiners should not object to these hyperlinks. The Office will disable these hyperlinks when preparing the text to be loaded onto the USPTO web database.
M.P.E.P. § 608.01

As such, Applicants are not going to remove the hyperlinks as allowed by the M.P.E.P.

The disclosure has also been objected to because of the following informalities: paragraph 36 includes several blanks which are now able to be updated. The blanks in paragraph 36 have been completed with the appropriate information and the objection is now moot.

Claim Rejection Under 35 U.S.C. §112

Claims 1-24 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The independent claims have been amended to show interrelation between components of the systems claimed. The systems include hardware and are as described in conjunction with Figs. 1-3 of the specification. Applicants believe it readily apparent that the system claims are directed to apparatuses – a statutory class of invention – and not to a method or process. As such, Applicants believe the claims are ready for review by the Examiner.

Claim Rejection Under 35 U.S.C. §102

Claims 1-24 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Publ. No. 2002/0152168 to Neofytides (“Neofytides”). Applicants respectfully request reconsideration of the rejection because either the Examiner has failed to show a *prima facie* case of anticipation or the amendments overcome the rejection. Indeed, “for anticipation under 35 U.S.C. 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly.” See MPEP §706.02, Original Eighth Edition, August, 2001, Latest Revision July 2008. And, Neofytides simply does not teach each and every aspect of the claims.

The Office Action notes broad swaths of Neofytides for all the particular claim limitations. For example, the Final Office Action in rejecting claim 1 makes reference to several pages and figures and the Applicants cannot determine the logic of the argument. Indeed, the particular teaching or associations between the cited art and the claim terms could not be found by the Applicant in the cited columns of the reference in many cases.

"In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified." 37 C.F.R. § 1.104(c)(2)

Applicants respectfully request identification of the exact passages or terms in the reference that support the rejections. For example, what in Neofytides is a web-accessible platform, a first application interface, a translation system, etc. Indeed, by not citing something in Neofytides that describes these components, the Examiner has failed to provide any cited art that describes the elements of the claims. Thus, the Examiner has failed to provide a *prima facie* case of anticipation. By understanding what the Examiner relates to these terms, Applicants will be better able to explain how very different the claims are from the cited art.

Regardless, the sections cited by Examiner do not include a description of an open loop stored value processing system. Indeed, the figures cited do not even show systems but describe methods. As such, the Examiner has failed to show a *prima facie* case of anticipation.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. Applicants do not acquiesce to any argument not specifically addressed herein. Rather, the Applicants believe the arguments and amendments presented herein overcome all rejections and arguments.

Appl. No. 10/714,437
Amdt. dated November 18, 2008
Reply to Office Action of August 18, 2008

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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